

Formal Grievance No. 4

Date: March 3, 2021

To: Board President and Members of the Tulsa Public Schools Board of Education

Re: Formal Grievance #4 and Request for Action and Resolution

This grievance comes before the Board of Education and is made against a conflict of interest concerning the current District superintendent, appointed and employed by the Board to do as it directs in order to oversee the implementation of policies adopted for the District by the Board.

We are concerned that the current superintendent, Dr. Deborah Gist, is conflicted due to the fact that she appears to benefit and derive advantage from contracts made between the District and her husband's employer, BOKF. The current superintendent's spouse is Mr. Ronnie Jobe who is the Senior Vice President and Manager of Institutional Markets for Bank of Oklahoma (BOKF),¹ a financial institution serving as paying agent and registrar for the District's Combined Purpose General Obligation Bonds, Series 2020A approved January 6, 2020² as well as various additional Bond Series³ and lease-purchase agreements for LED lights and other equipment. Some of these contracts were entered into without having gone through a competitive bidding process as revealed at a recent public meeting.

Since this issue was raised during a public meeting on January 4, 2021,⁴ no subsequent reassurances have been given to the public that a competitive bidding process has been adopted by the Board for bond registrars and paying agents nor has the Board reassured the public by written policy or resolution or any other form of communication that screens exist between the current superintendent and the interests of her spouse in District business. Further, the [Tulsa Public Schools Board of Education Policy 4409 Employee Conflict of Interest](#) applies to all employees of the district and states, "No employee should have any outside business interests that might, in fact or appearance, interfere with the employee's loyalty to the District" nor should any employee "have any interest or association that interferes with, or appears to impair, the independent exercise of the employee's judgment in the best interests of the District."

The last paragraph of Policy 4409 delegates oversight authority to the superintendent who "shall monitor all employment and assignment activities to assure compliance with this policy" and may also grant exception to this policy. In a situation where a superintendent may be the conflicted employee, the Board has no apparent remedy available with which to reassure the public that the District's purchasing and contracting

¹ [New York Times marriage announcement](#), December 22, 2019, Mr. Jobe and Dr. Deborah Gist.

² [Meeting Minutes](#), January 6, 2020, Approval of F.3 BOKF - Paying Agent and Registrar [See Attachment A].

³ [Regular Meeting of the Board of Education Agenda](#), January 4, 2021, Item F.2 [See Attachment B].

⁴ [Video recording](#), Regular Meeting of the Board of Education, January 4, 2021 [01:02:35 - 01:15:07]. Please Note: lengthy Board discussion ensues about the lack of competitive bidding processes following a Public Comment made by a parent concerning the appropriateness of Agenda Item F.2 - Recommendation to approve BOKF as the paying agent and registrar in light of superintendent's personal interest [See Attachment C - Meeting Minutes Item F.2].

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procedures are above reproach. This is especially important when it comes to public bonds and the handling of them.

As an entity to which local control is delegated, it falls ultimately upon the Board to act with due diligence to reassure the public that business is taken care of responsibly and is in the best interest of the District. We request that the Board furnish written policies and procedures assuring the public that the integrity of the District's purchasing and contracting procedures are above reproach and that items appearing before the Board for consideration are submitted without conflict and without undue influence from interested employees. Please include clearly defined procedures for the establishment and maintenance of screens to prevent future conflicts of interest between the District and the superintendent with particular attention to contracts pertaining to public bonds.

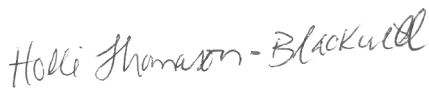
Concerned Constituents,



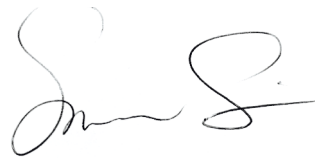
Melissa Remington
TPS District 6 Constituent
ConcernedTulsaParents@gmail.com



Kelsey Royce
TPS District 5 Constituent
ConcernedTulsaParents@gmail.com



Holli Thomason-Blackwell
TPS District 5 Constituent



Suzanne Sipes
TPS District 7 Constituent



Billie McCabe
TPS District 6 Constituent



Kim Stivers
TPS District 7 Constituent



Scott Carter
TPS District 1 Constituent



Les Kaup
TPS District 4 Constituent



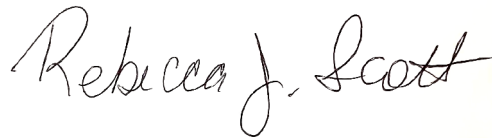
TJ McCormack
TPS District 4 Constituent



Maria Grey
TPS District 3 Constituent



Jennifer Juarez
TPS District 4 Constituent



Rebecca Scott
TPS District 6 Constituent



Theresa Hinman
TPS District 2 Constituent

A motion was made by Ms. Jania Wester and seconded by Ms. Suzanne Schreiber to approve item F-1. Paula Shannon responded to a question from a member of the board. **President Keller called for the vote and the motion was passed by the following vote:** Ayes Jennettie Marshall, Brian Hosmer, Ruth Ann Fate, Suzanne Schreiber, Jania Wester, Stacey Woolley, and Shawna Keller; NAY: None; ABSTAIN: None; ABSENT: None.

F.2. Approve a resolution fixing the amount of Combined Purpose General Obligation Bonds, Series 2020A to mature each year; fixing the time and place the bonds are to be sold; approving the preliminary official statement and authorizing distribution of same; authorizing the clerk to give notice of said sale as required by law; and approving other matters related to the issuance of the District's Combined Purpose General Obligation Bonds, Series 2020A.

A motion was made by Ms. Suzanne Schreiber and seconded by Dr. Brian Hosmer to approve item F-2. There were no questions from members of the board. **President Keller called for the vote and the motion passed by the following vote:** AYE: Jennettie Marshall, Brian Hosmer, Ruth Ann Fate, Suzanne Schreiber, Jania Wester, Stacey Woolley, and Shawna Keller; NAY: None; ABSTAIN: None; ABSENT: None.

F.3. Approve an agreement for registrar and paying agent services with BOKF, NA on the District's Combined Purpose General Obligation Bonds, Series 2020A.

A motion was made by Dr. Brian Hosmer and seconded by Ms. Jania Wester to approve item F-3. Superintendent Gist and Nolberto Delgadillo responded to questions from the Board. Following comments from Dr. Gist and Rick Smith, President of Municipal Financial Services, **President Keller called for the vote, which passed by the following vote:** AYE: Jennettie Marshall, Brian Hosmer, Ruth Ann Fate, Suzanne Schreiber, Jania Wester, Stacey Woolley, and Shawna Keller; NAY: None; ABSTAIN: None; ABSENT: None.

F-4. Approve an agreement with Hilborne & Weidman, P.C. to serve as Bond Counsel and Disclosure Counsel on the District's Combined Purpose General Obligation Bonds, Series 2020A.

A motion was made by Ms. Suzanne Schreiber and seconded by Dr. Brian Hosmer to approve item F-4. There were no questions from members of the Board. **President Keller called for the vote, which passed by the following vote:** AYE: Jennettie Marshall, Brian Hosmer, Ruth Ann Fate, Suzanne Schreiber, Jania Wester, Stacey Woolley and Shawna Keller; NAY: None; ABSTAIN: None; ABSENT: None.

STAFF REPORT

Superintendent Gist and members of her team presented the Comprehensive report and discussion on budget reductions regarding Shaping our Future proposals and answered questions from the board. It specifically addressed school closures, consolidations, staffing plan, and operational changes to district office services.

INFORMATION AGENDA

President Keller spoke to the organization of the speakers for the evening and introduced Mr. John Huffines to speak in support of items G-20, G-21, G-23, G-24.

F. ACTION AGENDA - Motion and vote on recommendations

BOND PROJECTS AND ENERGY MANAGEMENT

- F.1. RECOMMENDATION:** Approve a resolution fixing the amount of **Combined Purpose General Obligation Bonds, Series 2021A** to mature each year; fixing the time and place the bonds are to be sold; approving the preliminary official statement and authorizing distribution of same; authorizing the clerk to give notice of said sale as required by law; and approving other matters related to the issuance of the District's **Combined Purpose General Obligation Bonds, Series 2021A**.

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FURTHER RECOMMEND: The attorneys for the school district prepare/approve the appropriate contract document(s) and the proper officers of the Board of Education be authorized to execute the document(s) on behalf of the district.

RATIONALE: The sale of bonds approved as part of the 2015 voter referendum will allow the District to proceed with projects as outlined in the District's Bond Book. The resolution authorizes the issuance of **\$14,490,000 in building bonds (Proposition No. 1); \$500,000 in library improvement bonds (Proposition No. 2); \$520,000 in transportation equipment bonds (Proposition No. 3) and \$5,490,000 in classroom learning material bonds (Proposition No. 4)**. The 2021A Bonds in the aggregate amount of **\$21,000,000** will be sold on February 1, 2021, and approved/awarded at the Board's February 1, 2021, meeting, with proceeds made available to the District on or about March 23, 2021. Upon issuance of these bonds, there would be \$32,515,000 in bonds remaining to be sold from the 2015 authorization.

- F.2. RECOMMENDATION:** Approve an agreement for registrar and paying agent services with BOKF, NA for the District's **Combined Purpose General Obligation Bonds, Series 2021A**.

FURTHER RECOMMEND: The attorneys for the school district prepare/approve the appropriate contract document(s) and the proper officers of the Board of Education be authorized to execute the document(s) on behalf of the district.

RATIONALE: A registrar and paying agent is necessary to properly administrate the sale and receipt of bond funds. BOKF, NA has served as the district's Registrar and Paying Agent for all past bond programs, dating back to 1996, with excellent results. The total cost of the services for this bond sale over a five-year period is \$3,400. The cost during the first year is \$1,000, with years two through five costing \$600 each.

- F.3. RECOMMENDATION:** Approve an agreement with Hillborne & Weidman, P.C. to serve as Bond Counsel and Disclosure Counsel on the District's **Combined Purpose General Obligation Bonds, Series 2021A**.

FURTHER RECOMMEND: The attorneys for the school district prepare/approve the appropriate contract document(s) and the proper officers of the Board of Education be authorized to execute the document(s) on behalf of the district.

Attachment C - Approval Item F.2 BOKF, Meeting Minutes, January 4, 2021*

A motion was made by Dr. Jerry Griffin to approve item F-1, and the motion was seconded by Ms. Jania Wester. President Woolley called for the vote and the motion passed by the following vote: AYE: Jania Wester, John Croisant, Shawna Keller, Jerry Griffin, and Stacey Woolley; NAY: Jennettie Marshall; ABSTAIN: None; ABSENT: Suzanne Schreiber.

Melissa Remington spoke on items F-1 through F-4.

F.2. RECOMMENDATION: Approve an agreement for registrar and paying agent services with BOKF, NA for the District's Combined Purpose General Obligation Bonds, Series 2021A.

A motion was made by Board Member Keller, and the motion to approve item F-2 was seconded by Dr. Jerry Griffin. President Woolley called for the vote and the motion passed by the following vote: AYE: Jerry Griffin, Shawna Keller, John Croisant, Jania Wester, and Stacey Woolley; NAY: Jennettie Marshall; ABSTAIN: None; ABSENT: Suzanne Schreiber.

F.3. RECOMMENDATION: Approve an agreement with Hilborne & Weidman, P.C. to serve as Bond Counsel and Disclosure Counsel on the District's Combined Purpose General Obligation Bonds, Series 2021A.

A motion was made by Dr. Jerry Griffin, and the motion to approve item F-3 was seconded by Ms. Jania Wester. President Woolley called for the vote and the motion passed by the following vote: AYE: Jennettie Marshall, Jania Wester, John Croisant, Shawna Keller, Jerry Griffin, and Stacey Woolley; NAY: None; ABSTAIN: None; ABSENT: Suzanne Schreiber.

F.4. RECOMMENDATION: Enter into an agreement with Brent Hawkins Law Office, PLLC regarding certain H1-B visa petitions to be filed with the United States Citizenship and Immigration Services (USCIS) relating to four Spanish immersion staff at Eisenhower International School. This engagement will be at no cost to the district, as the legal services are being provided free of charge by the Law Office and the agency's application fees will be paid by the foundation supporting the school.

A motion was made by Ms. Shawna Keller. The motion to approve item F-4 was seconded by Ms. Jania Wester. President Woolley called for the vote and the motion passed by the following vote: AYE: Jerry Griffin, Shawna Keller, John Croisant, Jania Wester, Jennettie Marshall, and Stacey Woolley; NAY: None; ABSTAIN: None; ABSENT: Suzanne Schreiber.

INFORMATION AGENDA

Superintendent Gist introduced the information agenda. Dr. Gist and district staff responded to questions from members of the board.

Mr. John Huffines spoke to items G-1, G-3, and G-4.

STAFF REPORT

Chief Operations Officer, Jorge Robles presented an update on COVID-19. Superintendent Gist and her team answered questions from the board members.

* Note: Votes following discussion - 5 Aye/1 Nay/1 Absent